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VIA ECF

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 443
New York, NY 10007

MEMO ENDORSED

Re: Plaintiff's Status Letter and Request to Vacate the IPTC
Chrome Hearts LLC v. Milano & J LLC et al.
Case No. 1:23-cv-10440-VEC

Dear Hon. Caproni:

Pursuant to this Court's Order (ECF No. 7) and Section 2.C of this Court's Individual Practices, plaintiff Chrome Hearts LLC ("Plaintiff") hereby submits its status letter and request to vacate the Initial Pretrial Conference, or adjourn to a later date if the Court deems it necessary.

This is a federal and common law trademark infringement and unfair competition case arising out of defendants Milano & J LLC and Tabatha Parsons' ("Defendants") offer for sale and sale of handbags containing marks identical or substantially indistinguishable to Plaintiff's federally registered marks. ECF No. 1. The basis for subject matter jurisdiction is federal question jurisdiction under 15 U.S.C. § 1121(a) and 28 U.S.C. §§ 1331 and 1338(a). This Court also has supplemental jurisdiction over Plaintiff's state and common law claims pursuant to 28 U.S.C. § 1367(a) because those claims are so related to Plaintiff's federal claims

Defendants have defaulted after properly being served with the Complaint and Summons. The Clerk of the Court thus entered default against Defendants. *See* ECF Nos. 12, 13, 25, 25-1, 26. Defendants have not contacted Plaintiff in any way and Plaintiff intends to file a Motion for Default Judgment against Defendants. Accordingly, Plaintiff respectfully requests that this Court vacate the upcoming IPTC set for January 26, 2024. There have been no previous requests for adjournment. In the alternative, should the Court require Plaintiff to appear at the IPTC, Plaintiff respectfully requests that the IPTC is moved to February 2, 2024 or February 9, 2024 and requests that the IPTC be conducted telephonically.

Respectfully submitted,

/s/ Tara A. Currie
Tara A. Currie
Attorney for Plaintiff
Chrome Hearts LLC

Application GRANTED. The Initial Pretrial Conference scheduled for Friday, January 26, 2024, at 10:00 A.M. is CANCELED.

By no later than **Friday, February 2, 2024**, Plaintiff must file a proposed order to show cause for default judgment in accordance with Attachment A to the Undersigned's Individual Practices.

SO ORDERED.



1/19/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE